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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/776,500

02/12/2004

Per-Ake Minborg

2002-544

3666

54472

7590

08/03/2010

COATS & BENNETT/SONY ERICSSON

1400 CRESCENT GREEN

SUITE 300

CARY, NC 27518

EXAMINER

KING, SIMON

ART UNIT

PAPER NUMBER

2614

MAIL DATE

DELIVERY MODE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/776,500	<b>Applicant(s)</b> MINBORG ET AL.	
	<b>Examiner</b> SIMON KING	<b>Art Unit</b> 2614	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 May 2010.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 and 11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)         | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Allowable Subject Matter***

1. Claim 11 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-9 rejected under 35 U.S.C. 102(e) as being anticipated by Kolsky et al. (US 2002/0022485 A1).

As for claim 1, Kolsky discloses a method of providing data objects to terminals of subscribers in a first telecommunications network having first subscribers (0019) with autonomous type terminals and second subscribers with network type terminals, wherein the autonomous type terminals comprise functionality for client-based retrieval of data objects (0022-0026: cellular phone) and wherein the network type terminals rely on functionality in the network to provide for retrieval of data objects (PDA devices), the method comprising: associating each of the first and second subscribers with the corresponding type of terminal (0047-0048 and 0051-0058); determining occurrences of triggering events indicating

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communication events between subscribers ([0043]); and upon determination of each triggering event, selectively providing data object retrieval only to subscribers associated with network type terminals ([0073-0076]).

As for claim 2, the method according to claim 1, further comprising: associating a terminal capability with at least one of the second subscribers; wherein providing data object retrieval only to subscribers associated with network type terminals comprises providing data retrieval in view of the associated terminal capabilities (0059-0060).

As for claim 3, the method according to claim 1 or 2, further comprising: determining whether a subscriber involved in a first communication event belongs to a second network and, if the subscriber belongs to the second network, then selectively letting the second network provide data object retrieval to the subscriber based on whether the second network provides data object retrieval for network type terminals ([0064-0066]).

As for claim 4, the method according to claim 1 or 2, further comprising: determining whether a subscriber involved in a first communication event belongs to a second network and if the subscriber belongs to the second network, then selectively providing data object retrieval to the subscriber based on whether the second network provides data object retrieval for network type terminals ([0060]).

As for claim 5, the method according to claim 4, further comprising: only providing data objects of a text nature to subscribers belonging to the second network ([0036]).

As for claim 6, the method according to claim 4, further comprising: only providing data objects of an audio nature to subscribers belonging to the second network (0036).

As for claim 7, the method according to claim 1, wherein providing data object retrieval comprises: requesting a phone page number service to determine a phone page web server; requesting a data object of the phone page web server; and providing the data object received

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from the phone page web server to a subscriber involved in a first communication event (0040).

As for claim 8, the method according to claim 1, wherein providing data object retrieval comprises: requesting a data holder to provide a data object to a subscriber involved in a first communication event (0020-0022).

As for claim 9, a filtering server of a communication network arranged to provide data objects to terminals of subscribers, the communication network having first subscribers with autonomous type terminals and second subscribers with network type terminals, wherein the autonomous type terminals comprise functionality for client-based retrieval of data objects and wherein the network type terminals rely on functionality in the network to provide for retrieval of data objects, wherein the filtering server is arranged to: associate each of the first and second subscribers with the corresponding type of terminal; determine occurrences of triggering events indicating communication events between subscribers; and upon determination of each triggering event, to provide data object retrieval only to subscribers associated with network type terminals (0036 and see rejection for claim 1).

### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1-9 and 11 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SIMON KING whose telephone number is (571)270-1950. The examiner can normally be reached on 8:00 - 5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, FAN TSANG can be reached on (571)272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

29 July 2010

/Fan Tsang/  
Supervisory Patent Examiner, Art Unit 2614

/SIMON KING/  
Examiner, Art Unit 2614